# HINT OF CLEARING 7 NEW HAVEN MEN

Judge's Questions Believed to **Show Non-active Directors** Are Blameless.

RULE OF REASON CITED GRAND JURY TO HEAR HIM

Questions asked by Judge Hunt in the United States District Court yesterday equittal gave rise to the hope.

Seven of the eleven former directors on the profits of William C. Banks. trial were mentioned particularly by who have been listening to the weeks of trial and the two days of nent. They are Robert W. Taft. Charles M. Pratt. D. Newton Barney, Frederick F. Brewster, Henry K. Mc-Hars, James S. Hemingway and A.

## The Seven Never Active.

negotiations or ever participated vely in any business for the com-y. That would leave only four i for further consideration—William kefeller, Lewis Cass Ledyard, Ed-d D. Robbins and Charles F. Brooker of the eleven on trial.

The foregoing was simply rumor without definite basis as all of yesterday
was taken up with the arguments of
Goldthwalte H. Dorr. Thomas Thacher
and Royall Victor that all the defendants should be relieved of further trial
and the Government case dismissed.

Messrs. Dorr and Thacher finished
yesterday the arguments they had begun

esterday the arguments they had begun n Monday. Mr. Victor's argument sup-lemented the general argument of Mr. hacher and declared that the defendants must be sent out of court by the application of the "rule of reason decision" of the United States Supreme Court. It devoted itself mainly to a discussion of the application of the criminal charge of conspiracy to railroad

point made by Mr. Victor was the Sherman anti-trust act was held app icable to railroads until that the Sherman anti-trust act was not held app icable to railroads until the trans-Missouri case in 1897, therefore the men could not be accused of conspiring before that date. He quoted law as establishing that while ignorance should 1? What would there be in that law as establishing that while ignorance of the law excuses no one for the commission of an act, yet it has been held that ignorance of the law is a valid

that ignorance of the law is a valid defence to a charge of conspiracy so long as the act was not performed.

Approved by Supreme Court.

What appeared to be Mr. Victor's strongest point was the contention that the United States Supreme Court has efficially approved the New Haven in a decision of Justice, now Chief Justice, White in 1904. In that decision the Justice mentioned the New York, New Haven and Hartford, the Boston and Maine and the New York Central as three railroads which had grown up by consolidation, saying that this was known and that it was accepted.

The strict application of the Government's theory in this case, the lawyer declared, would make every railroad official of the United States a criminal. Railroads can grow into great systems only by consolidation, as grow into great systems only by consolidation. Railroads can grow into great systems only by consolidation has said that the General company prometry to the contract for installing a signal system in the Fourth avenue contract for installing a signal system in the Fourth avenue with the contract for installing a signal system in the Fourth avenue contract for installing a signal system in the Fourth avenue contract for installing a signal company was that the B. R. T. wanted be R. R. T. wanted the kind of speed control apparatus which the General company prometry was the contract for installing a signal company was that the B. R. T. wanted the kind of speed control apparatus which the General company prometry by consolidation has said that wood that talk with wood while the Fourth avenue contract for installing a signal was the contract for installing a signal system in the Fourth avenue contract for any specific amount of money, but to the business that might can be a signal was provided in the did talk with wood while the Fourth avenue contract for any specific amount of money but to the business that might can be signal was provided in the contract for myseif all right.

Says B. R. T. Wanted Device.

Railroads can grow into great systems only by consolidation, he said. It was not only the New Haven that was on rial but the entire railroad enterprise the United States.
The arguments will continue to-day.

THANKS TO HIGHLAND MERRY.

We remember you very well, Highland
Merry, with your bright face, your pink
abbons and your doll named after our
Tom. We'd like to see you with all the
dignity of your 2½ years and your
dimpling cheeks down at our bread
dimpling the to remind the poor wretches

prove. That
"But do you think from what you
"If he did what Johnson says he did.
I don't think a bit in jail would do him
any harm."

When he found he could get nothing depot, just to remind the poor wretches When he found he could get nothing depot, just to remind the poor wretches who come there every day that there of value from Banks, Senator Thompson who come there every day that there told him to go home and talk things used to be back again over with his wife and to be back again

that, we are very much honored by your contribution of \$2.50, with \$2.50 Jury for to-day. from Highland Merry herself.

But it is not true, Highland Merry and Highland Merry's little sister Elsie, that

there is so much misery in the world. On our authority you may tell your father so. As a matter of fact, New York is a pretty happy town, and most of the people, we think, are just like purselves. Мелку and Видит. Contributions for the maintenance of the bread depot were received from the following yesterday: M. M. M., \$5; J. A. Migel, \$5; S. H. W., \$1; Highland Merry and her little sister Elsie, \$5.

## GIRL FINED \$25 FOR SPEEDING.

### Miss Audrey Osborn Accused of Driving 26 Miles an Hour.

Miss Audrey Osborn, 21, who gave her address as 500 Madison avenue, was fined \$25 yesterday by Magistrate Ap-pleton in the Jefferson Market court on charge of having driven her automobile at twenty-six miles an hour. In giving his decision Magistrate Appleton said: "It would be romantic

Appleton said: "It would be romantic to let you go because you are a woman, but I can see no reason why the fact that you were anxious to keep an engagement should make you less liable to punishment for breaking the law than if you were a taxl driver, so I fine you \$25, or two days."

Miss Osborn was arrested Sunday afternoon on Fifth avenue between Fifteenth and Eighteenth streets by Motorcycle Policeman Mott.

## NAVAL MILITIA EXPANDS.

## Second Battalion Forms Company

of Marines and Aero Section. An innovation in the Naval Militia will be the formation of a company of marines in the Second Battalion of New York Naval Militia, whose headquarters are the foot of Fifty-second street, Brooklyn. This company is being made up by picked men, and will, it is expected, be mustered in next month The company will be fifty strong, and will.

Additional arguments against the third tracking of the elevated rallroad in Fulton Street, Brooklyn, from Nostrand average to Brooklyn Bridge were offered before the Public Service Commission yesterday.

Chairman Straus presided at the hearing, which was postponed from last week because acting Chairman Cram said he count Mr. Straus ought to have a

tay Hazing Didn't Kill Cadet.

# CAN'T UNDERSTAND **WOOD, SAYS BANKS**

Man Who Took Over Commis sioner's Business Balks Thompson Committee.

William C. Banks of the Northwestern Equipment Company, an electrical suped attorneys for some of the former di- ply concern that took over the business ctors of the New Haven, on trial on a of the Northwestern Construction Comharge of conspiracy to hope that their pany when Robert Colgate Wood became lients might be relieved of further trial. a Public Service Commissioner, testified There was no official intimation to that before the Thompson legislative comffect, but the questions of the Judge in mittee yesterday that in whatever relathe arguments for dismissal of the in- tions he had had with John T. Cade of lictment or a direction of a verdict of the Federal Signal Company he was of paintings, which are hung in the animated by the sole desire to enhance Cade had reported to President Ren

shaw of the Federal company that he got the impression through talking with Banks that Banks was looking for a retainer to gain the favor of Commissioner Fourth avenue subway contract was under discussion. Banks said yesterday that he hadn't had the least idea of getting anything else out of it except business for his equipment company, which he thought the Federal would patronize if it were able to land the Fourth avenue signal system job through his efforts.

Banks was on the stand most of the barytone; David Ricchsen, violents; Mise Sibyl Vane, soprano, and Mrs. Patrick Campbell, Mme. Pavlowa gave a Russian dance with her partner, Clustine, and a gavit her partner, Clustine, and a gavit if it were able to land the Fourth avenue signal system job through his efforts.

Banks was on the stand most of the Mme. Lyska sang a group of Polish mes of these men have appeared only ness for his equipment company, which directors of the New Haven for vary- he thought the Federal would patronize terms. The minutes have shown if it were able to land the Fourth ave-they were present at times, but it not shown that they ever conducted Banks was on the stand most of the Banks was on the stand most of the session yesterday, and at the end of the grilling he received from the committee he was still smiling and willing to talk on anything that the committee didn't want to know about. In his analysis of the character of Commissioner Wood, Banks, who has known the Commissioner

## Calls Wood "Mysterious."

"I can't make head or tail out of the an," he said. "I've been around with him, but I can't understand him. He is a most mysterious man. I guess you noticed that when he was on the stand here. He says things and does things that I can't fathom. You get any of his friends down here and they'll tell you the same thing. They don't know any more about him than I do."

Banks admitted that he had beer angry at the Commissioner ever since he learned that the Commissioner didn't let him in on the \$1,500 he got for help-ing the Union Switch and Signal Com

"It is just possible that you may be involved in some of the things that he is involved in."

atus which the General company promised to develop. He said he was much surprised when the Federal company surprised when the Federal company failed to land the job.

"Do you think that Commissioner Wood ought to be in jail?" was asked.

"Well," replied Banks, "I don't like to see anybody go to jail, but if he is guilty of a crime let him go."

"Do you think he is guilty?"

"That's up to the District Attorney to prove. That is not within my province to say."

And we are glad to meet you, Highland Merry's little sister Elsie, a half of a year old, even though it is by such an unsatisfactory medium as a letter all the way from Waban, Mass. Not only that, we are very much honored by that, we are very much honored by

## UPHOLDS ONE METER ORDER.

### Service Board's Counsel Says Its Stand In Right.

George S. Coleman, chief counsel for the Public Service Commission, in an opinion yesterday, said that the New York Edison Company must obey the Commission's order of October 15, which directs that after January 1, 1916, the directs that after January 1, 1916, the company shall determine the amount of current supplied to customers by one meter installed on the premises of the customer. Mr. Coleman was asked for an opinion as to the effect of the order on contracts under which the company obligated itself to furnish and maintain more than one meter on its customers.

ners' prenrises.

Mr. Coleman quotes a number of cases covering the point and concludes that if a public service corporation had the same power as a private corporation to make binding contracts a simple means of evading a statute prohibiting discriminations would be afforded. A company having made long term contracts with a few favored customers under a rate established perhaps for that very purpose could then cancel the rate. His opinion is that as soon as the commission's order becomes effective it will abrogate all outstanding contracts made by the New York Edison Company that are in any way inconsistent with the provisions of the order. covering the point and concludes that if

## STRAUS SITS ON FIRST CASE.

### As Chairman Hears Arguments o B. R. T. Third Tracking.

Additional arguments against the third

ing, which was postponed from last week because acting Chairman Cram said he ought Mr. Straus ought to have a chance to express himself on the problem. company will be fifty strong, and will, it is said, be the first company of marines organized by any Naval Militia.

Another important unit in process of erganization is a hydro-aeroplane section, under command of Lieut. Leon Dickinson, ordnance officer, who has aiready secured three licerised pilots. case was reserved.

LEXINGTON, Va., Dec. 21.—The death of Thurber Sweet of Chicago was not due to hazing at the hands of Virginia of o of Thurber Sweet of Chicago was not due to hazing at the hands of Virginia Milhary Institute cadets, under a decision of the governing board to-day. An affection of the spine is given as the bely make Christmas merry for poor spides.

# MRS. J. J. ASTOR LENDS HOME CITY TO ALLOW US FOR A CHARITY MATINEE

Ballroom Made Into a Theatre for Performance to Aid

PAVLOWA IS A FEATURE

Mrs. John Jacob Astor kindly gave 840 Fifth avenue, yesterday afternoo Serbian Relief Fund. As its title would signify, the audience was restricted to the limited capacity of the ballro and for this reason tickets were sold at \$10 each. The combined beauties the home with the wonderful collection ballroom, and the artistic programme offered were quite worth the price o

A slightly elevated stage was erected Wood for the Federal company when the a Polish soprano; Albert G. Jan Polski

Is Wrecked-Damage

About \$25,000.



be A slightly levated stage was erected in the centre of the ballroom, and appropriate the centre of the ballroom, and the ballroom and the centre of the ballroom, and the ballroom and the centre of the ballroom, and the ballroom and the centre of the bal

# GLUE PLANT EXPLODES; SMITH LEATHER PLANT ONE DEAD, 12 MISSING IN HANDS OF CREDITORS

## sets Will Exceed Liabilities by \$250,000.

One man is dead and a dozen others are injured as the result of an explosion yesterday morning in the postage stamp glue department of the former United States Senator James American Glucose Company at Edgewater, N. J., 'n the west bank of the Hudson River. The explosion, due to decided to place the management of the spontaneous combustion, wrecked the conecrn under a creditors' committee. It southern end of the four story brick was also agreed to settle all claims amounting to \$400 and less

The man who was killed was Gluseppe The creditros' committee will consist Peddelo, 42, of Cliffside. He left a The accident occurred just as the day shift was relieving the night shift. All of the injured men are Poles or Italians. Nine of them were taken to the North Hudson and Englewood hosweek. The creditors represent both com-

W. L. DOUGLAS WAS PUT TO WORK PEGGING SHOES AT 7 YEARS OF AGE, HE

Fire Starts as Part of Building Former Senator Predicts As-

NEWARK, N. J., Dec. 21 .- About thirtyfive of the forty creditors of T. P. Howell Smith, Jr., at a meeting in the officer of the Fidelity Trust Company to-day

junction with the Fidelity Trust Company, which is representing Mr. Smith as trustee. Louis Hood, general counse for the Fidelity, will name the commit-The meeting adjourned for one

the North Hudson and Englewood hospitals; the others were treated and sent home. The injuries are all burns.

Corn products and dextrine are handled in the building, where mucilage for postage and trading stamps is manufactured. After the explosion a great quantity of inflammable material caught fire, but the company's men and the Edgewater department soon had the bilaze under control. The damage was said to be \$25,000.

All of the injured men are said to be out of danger, except Samuel Carmack, 34 years old, of Hudson Heights.

He is said to be in a serious condition at the Englewood Hospital. He is burned upon the face, arms, chest and legs.

Week. The creditors represent both committed institutions.

A detailed report for the benefit of creditors, howeld report for the benefit of the benefit of the bulled in the bulled for several years in the bulled in the bulled for several years in the bulled in the bulled

# TO EAT HORSE MEAT

of Living by Removing Restrictions.

IN EFFECT ON NEW YEAR EXPECTED \$55,000 SHARE DRIVEN HERE BY WAR MAY BE WAR ON QUACKS

The Board of Health aimed a blow at he high cost of living yesterday in the by passing an ordinance permitting the ure goes into effect with the new year and revokes the provision forbidding the killing of horses as meat which has been in effect since New York has

"In adopting this resolution," said Health Commissioner Emerson, "the board wished to open the way for an nexpensive and healthy food supply.

ngaging in his occupation again withut the permission of the department. Pawill be allowed to return to it. The 14,000 retail milk stores in the city will not be compelled to have permits from the Health Department in

future. Under the present system every food store is inspected once a month, and with the wholesale supply under ontrol and pasteurization made impera eve, the board felt that the retail dealers should be relieved of the unnecessary hindrance of getting a permit each year. Hair dyes and toilet preparations which contain substances detrimental to

little Miss Medius Again Meets Hitch on Coming From Cuba.

Bianche Medina, a Cuban girl of 11, who has studied for several years in the public schools of this city, arrived yesterday by the United Fruit steamship Metapan, bound for the Sacred Heart Academy. She was in the care of her brother-in-law, William F. Runstine, the United Fruit passenger agent in Havana, who had papers showing that he was her temporary guardian.

That was not legally enough to admit the little girl, the law requiring children

421 Fulton Street, cor. Pearl. 1779 Pitkin Avenue.
W. L. DOUGLAS \$3.00, \$4.00 AND \$4.50 CHOES FOR WOMEN.

# BANK CLERK SAYS

Health Board Hits High Cost Stole Blank Stock Certificates Baroness Jeanne d'Etreillis Which Afterward Were Used as Collateral.

Charles H. Goodwin, a \$50 a month certificates of the Laclede Gas Light them in had tried to dispose of them in Philadelphia. Becoming frightened at the prospect if he managed to get them on the market he said he gave them to his companion, Frank A. West, who suggested the act to him, with the under-

Concern Believed a Suicide.

William Chaffin Andrews, advertising manager for the Thomas A. Edison Storage Byttery Company, died suddenly yesterday morning at the Chelsea Hotel, 226 West Twenty-third street, from strychnine poisoning, which, according to the report of the Coroner's physician, was taken probably with suicidal intent. At 7:36 o'clock yesterday morning Night Clerk Dunlap was called to the telephone. "I am very ill," Mr. Andrews said. "Send a physician to my room at elephone. "I am very ill," Mr. Andrews aid. "Send a physician to my room at once." When told that it would probably take twenty minutes to summon the house physician, Mr. Andrews said: "He must come sooner, I have taken too which contain substances detrimental to health, such as lead, mercury, arsenic and certain coal tar products, were forbidden by the board. This action marked the first cognizance ever taken by the authorities of external preparations.

Regulations were passed specifying the purity of bathing water in pools kept by the city and private individuals. Hereafter they can contain no more than ten colon bacilli per cubic centimeter.

All water tanks must have tight covers, as it was found that the ventilation holes permitted in previous years made it easy for mosquitoes to breed in the reservoirs. The water is kept fresh enough by the air which percolates through the sides of every tank.

SCHOOLGIRL ON LINER HALTED.

Little Miss Medius Agais Meets

Andrews was 41 years old. He

Mr. Andrews was 41 years old. He

# WOMEN SMUGGLERS | DOCTOR HELD FOR HE AIDED LOWDEN IN CUSTODY ONE DAY TREATMENT BY MAIL

and Her Sister Also Fined 82,500 Each.

Chaperoned by a chivalrous gentlebank clerk, was the chief witness yester- man wearing a large gold badge, the Barday against George H. Lowden, on trial oness Jeanne d'Etreillis and her sister, for forgery before Judge Nott in Gen- Sylvie Montegut, wife of the French opera eral Sessions. Goodwin, who is 22 years singer, Jacques Montegut, spent yesterold, said he had stolen ten blank stock day with United States Marshal Thomas D. McCarthy. They arrived at 11 A. arraigned before United States Commis Company of St. Louis and after filling M., had their lunch sent in to them and sioner Houghton and was held in \$5.00 departed at 4 P. M., having spent part of the afternoon in United States Com-missioner Houghton's court room watching with interest the various ar-

> Because the Baroness and her sister upon leaving the Federal building thanked the Marshal in profuse French for his hospitality, it is not to be assumed that their visit was voluntary. It was, as the Marshal afterward put it, a punitive ceremony imposed by Federal District Court Judge Julius M. Mayer after the sisters had pleaded guilty to six indictments charging them with customs frauds and violations of the contract labor law. After sentencing them to the custody of the Marshal for a day the Judge fined them \$2,500 each. There are only two other cases on record in which women defendants in customs cases received more than a fine. The Boue sisters, to use their maiden name, are partners in the fashionable The Samaritan, or How to Save Health, which was written to teach people how to ward off disease. The book cost 2 cents and contained a diagnosis blank comes many wealthy American women. When the outbreak of the war prevented American women from running over to France to do a bit of shopping the sisters saw large possibilities of bankruptcy looming. Jeanne had married the Baron d'Etrelliis, but she was the main support of her family.
>
> It was then, according to Assistant United States Atiorney Frank E. Carstarphen, that they decided to come over here to their American customers. They held a few exhibitions in hotels and last August, Mr. Carstarphen said, established headquarters at 13 West Fifty-sixth street and began to ship their Paris employees and the stock in the Paris store over here piecemeal and

the Paris store over here piecemeal and in a manner calculated to save expense. Whenever one of the models or fitters would arrive here, Mr. Carstarphen said, she would bring in a number of gowns which she declared as her personal property in order to evade the payment of George Geudal Golkman, interpreter

in the New York store, who was in-dicted with his employers for violating the customs and contract labor laws. pleaded guilty and was let off with a fine of \$150. Mme. Eva Strauss, other-wise known as Eva Marienstrass and Eva Poiret, also admitted having brought over from France about \$600, worth of gowns, declared by her as personal effects, as an accommodation the Boue Sœurs. She was fined \$500.

Otto Heintz, 50 years old, of 89 Flushing avenue, Astoria, L. I., went to the roof of the fourteen story apartment house at 530 Park avenue yesterday and either jumped or fell to the ground. The police believe the case was suicide, for Heintz's coat containing some papers and two cents was found on the roof. and two cents was found on the roof He, was out of employment.



We were mighty glad to get over another shipment of our new ""Forefathers" Cloth. The first consignment

made up into such handsome suits and sold so fast that we had to stop talking about them for awhile. But now we're ready to go

ahead again. "Forefathers' Cloth," you

remember, is a faithful reproduction of the fabric the Pilgrims wore when they crossed in the Mayflower. Same colors—same texture even the wool comes from the same county in England which supplied the Forefathers.

No handsomer suits in our stores.

Christmas presents! Everything exchangeable after Christmas. Things men and boys wear

things they play with. ROGERS PEET COMPANY

"The

Four

at 13th St Broadway at Warren Corners"

at 34th St Fifth Ave. at 41st St.



## U. S. Authorities Accuse Owen of Defrauding Foreign Born Patients.

In the arrest of Dr. William Llewelles Owen yesterday the postal authorities began what may develop into a whole who use the mails in diagnosing and treating their patients. Dr. Owen was bail for using the mails to defraud

Dr. Owen has his office at 221 Eas Seventeenth street. According to his attorney, he has been practising medicine in this city thirty-five years and

to have it returned.

Post Office Inspector Mayhew
in Dr. Owen's office a list of b

25,000 and 30,000 names from w t is alleged, Dr. Owen picked visited Dr. Owen's office last ferent medicines. Dr. Owen is also der \$1,000 bail for having cocain registered.

## **Browning, King** & Company

Shop as early as is easy and as late as you like. We shall be open evenings till 9 until Christmas. Not overlooking the essential suits and overcoats from \$15 to \$50 there are many thing for men from 50c to \$50 that are goo for gifts. Come in any way. It won't cost a cent to see our

> Don't overlook our Children's Departmen



ART SALES AND EXHIBITION

up-to-date store.

CREDITORS' SALE TODAY and 2 Following Days at 3 o'Clock Each Day



Edward P. O'Reilly, Aus A Magnificent Collection of 825 Oriental Rugs

The Property of a Fifth Avenue Rug Firm who have ordered this dispersal e account of the following Credit Teheran Rug Co.,

Timourian & Sons Karadaghi, of Constantinopie Avanozian & Sons and Others An unusual opportunity ne specimens in most sur zes also some extra

CATALOGUE ON APPLICAT

